

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

CELSIUS NETWORK LLC, *et al.*,¹

Debtors.

Chapter 11

Case No. 22-10964 (MG)

Jointly Administered

**ORDER GRANTING THE DEBTORS' *EX PARTE* MOTION
FOR ENTRY OF AN ORDER PURSUANT TO BANKRUPTCY CODE SECTION 105
AND FEDERAL RULES OF BANKRUPTCY PROCEDURE 2004 AND 9016
AUTHORIZING THE EXAMINATION OF RHODIUM ENTERPRISES, INC.**

Upon the *ex parte* Motion² of the Debtors pursuant to Bankruptcy Code Section 105 and Federal Rules of Bankruptcy Procedure 2004 and 9016 authorizing the examination of Rhodium Enterprises, Inc. (“Rhodium”); and the Court having found that it has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334; and the Court having found that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and the Court having found that venue of this proceeding and the Motion in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and the Court having found that the relief requested in the Motion is in the best interests of the Debtors’ estates, their creditors and other parties in interest; and the Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and upon all of the

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, are: Celsius Network LLC (2148); Celsius KeyFi LLC (4414); Celsius Lending LLC (8417); Celsius Mining LLC (1387); Celsius Network, Inc. (1219); Celsius Network Limited (8554); Celsius Networks Lending LLC (3390); Celsius US Holding LLC (7956); GK8 Ltd. (1209); GK8 UK Limited (0893) and GK8 USA LLC (9450). The location of Debtor Celsius Network LLC’s principal place of business and the Debtors’ service address in these chapter 11 cases is 50 Harrison Street, Suite 209F, Hoboken, New Jersey 07030.

² Capitalized terms used but not defined herein shall have the meanings given to them in the Motion.

proceedings had before the Court; and after due deliberation; and sufficient cause appearing, it is hereby ORDERED:

1. The Motion is granted.
2. The Debtors are authorized pursuant to Federal Rule of Bankruptcy Procedure 2004 to conduct an examination of Rhodium, including, without limitation, by seeking documents and electronically stored information from Rhodium and issuing subpoenas for the production of documents to Rhodium pursuant to Federal Rule of Bankruptcy Procedure 9016 (the “Rule 2004 Subpoenas”).
3. The Debtors are authorized to depose the representatives of Rhodium, without further order of this Court, upon service of appropriate deposition notices and subpoenas, if the Debtors determine that depositions are warranted.
4. The Debtors are authorized to take all actions necessary to effectuate the relief granted in this Order in accordance with the Motion.
5. Any disputes concerning the Rule 2004 Subpoenas or any other examination conducted pursuant to this Order, including objections thereto, that are not resolved by agreement of the parties may be raised with the Court in accordance with the following procedures:
 - a. Either party may send a brief, non-substantive email to mg.chambers@nysb.uscourts.gov requesting a telephonic conference with the Court, which the Court will endeavor to schedule promptly.
 - b. If such telephonic Court conference does not result in a resolution of the objection or other dispute, and written submissions are required, unless the Court orders otherwise,
 - i. if either party wishes to pursue the dispute, it shall file on the docket in the

above-referenced cases a letter brief (the “Initial Letter”) not to exceed three (3) pages setting forth its position concerning the objection or other dispute;

- ii. if the other party wishes to respond, it shall file on the docket within three (3) business days of the date of filing of the Initial Letter, a letter brief in response not to exceed three (3) pages; and
- iii. the Court will rule on the objection or other dispute at its earliest convenience.

6. The Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Order.

IT IS SO ORDERED.

Dated: May 22, 2023
New York, New York

/s/ Martin Glenn
MARTIN GLENN
Chief United States Bankruptcy Judge